Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Canada

1. Action 20 of the action plan contained in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons calls for States parties to submit regular reports on the implementation of the action plan, the 13 practical steps towards disarmament contained in the Final Document of the 2000 Review Conference and article VI, paragraph 4 (c), of the 1995 Review Conference decision entitled "Principles and objectives for nuclear non-proliferation and disarmament". In line with this commitment, and with a view to enhancing transparency and building confidence, Canada submits this report on its implementation of the Treaty on an article-by-article basis, including the 13 practical steps agreed in the Final Document of the 2000 Review Conference. It provides updated information that builds upon the reports Canada submitted in 2012 (NPT/CONF.2015/PC.I/10) and in 2013 (NPT/CONF.2015/PC.II/9). Separate reports have been made on Canada's implementation of the action plan agreed at the 2010 Review Conference and on the implementation of the resolution on the Middle East agreed at the 1995 Treaty Review and Extension Conference. Such comprehensive reporting is not intended to expand the scope of the commitments made, but is a reflection of the linkages that exist among the articles of the Treaty, the 13 practical steps and the 2010 action plan. Canada calls upon all other States parties to submit such comprehensive reports at Treaty meetings.

Article I

2. Canada continues to call upon nuclear-weapon States not to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. Nuclear proliferation continues to pose a threat to the world. Canada maintains that members of the United Nations must work together to ensure that Security Council resolutions are fully implemented and that States work together to halt activities that have no reasonable purpose other than the further acquisition of nuclear weapons.

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3. Canada is a member of the 28 member Global Partnership against the Spread of Weapons and Materials of Mass Destruction, an initiative launched at the 2002 summit of the Group of Eight to address the threat posed by the proliferation of weapons and materials of mass destruction as well as related knowledge. To date, Canada has spent C$463 million towards concrete projects through its Global Partnership Programme in support of the non-proliferation and disarmament objectives of the Treaty. Since the 2013 Treaty Preparatory Committee, funding from Canada's Global Partnership Programme was used to provide airborne radiation detection equipment and training to strengthen the on-site inspection capabilities of the Comprehensive Nuclear-Test-Ban Treaty Organization; to fund and manage successful radiological security projects focusing on the Central America, South-East Asia and the Middle East and North Africa regions; support the safeguards verification activities of the International Atomic Energy Agency (IAEA), including for the monitoring of the Islamic Republic of Iran's compliance with the joint plan of action; and to oversee and ensure completion of multi-year projects on the physical protection of nuclear materials.

4. Canada is an active participant in the Proliferation Security Initiative, which seeks to enhance, in a manner consistent with national legal authorities and international law, practical cooperation on interdiction of, inter alia, nuclear weapons material and technology flowing illegally to and from States and non-State actors. Canada is also an initial partner nation of the Global Initiative to Combat Nuclear Terrorism, a member of the Nuclear Suppliers Group and an active participant in the Group of Eight Non-Proliferation Directors Group.

5. Canada continues to actively participate in the Non-Proliferation and Disarmament Initiative, a cross-regional group of Treaty non-nuclear weapon States that works to promote and support the implementation of the commitments made by all States parties to the Treaty, particularly the 2010 action plan, and advocate further progress through practical contributions and proposals. Canada welcomed the addition of the Philippines and Nigeria to the group at its September 2013 Ministerial meeting in New York. Canada supported the joint Non-Proliferation and Disarmament Initiative working papers submitted to the 2013 Treaty Preparatory Committee on the Comprehensive Nuclear-Test-Ban Treaty, non-strategic nuclear weapons, reducing the role of nuclear weapons in defence doctrines, export controls, nuclear-weapon-free zones, the wider application of IAEA safeguards and disarmament education. Canada endorsed the group's ministerial statement issued at the ministerial meeting, held in Hiroshima, Japan, on 12 April 2014.

Article II

6. Canada continues to abide by its Treaty commitment not to receive the transfer of, receive control over, manufacture or acquire nuclear weapons or a nuclear explosive capability. This commitment is implemented domestically primarily through Canada's Nuclear Safety and Control Act of 2000 and the Export and Import Permits Act of 1985.

7. Canada calls upon other non-nuclear-weapon States not to receive the transfer of, receive control over, manufacture, acquire or seek to receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices or their delivery vehicles. Canada reiterates its call on the Democratic People's Republic of Korea to immediately resume cooperation with IAEA inspectors, to comply fully

with all of its obligations under Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013) and 2094 (2013), and to fulfil all commitments it made as part of previous Six-Party agreements, including abandoning all its nuclear weapons and existing nuclear and ballistic missile programmes and immediately ceasing all related activities. Canada has fully implemented successive Security Council resolutions imposing sanctions on the Democratic People's Republic of Korea, and had already adopted comprehensive economic sanctions against the Democratic People's Republic of Korea in 2011, including a prohibition on imports from and exports to the Democratic People's Republic of Korea, with certain humanitarian exemptions. We continue to support negotiations as the best means to achieve a permanent, peaceful resolution of the Korean peninsula's long-standing security issues and encourage efforts towards the early resumption of this process.

8. Canada continues to urge the Islamic Republic of Iran to comply with all of its international obligations, including those set out by the Security Council and the IAEA Board of Governors, and to engage seriously and without preconditions in efforts aimed at restoring international confidence in the exclusively peaceful nature of its nuclear programme. This requires immediate and full cooperation with IAEA to address serious concerns about the military dimensions of its nuclear programme and the full implementation of the additional protocol to the IAEA comprehensive safeguards agreement. Canada has fully implemented in Canadian law the requirements of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010) by imposing rigorous sanctions on the Islamic Republic of Iran. Canada continues to believe that States parties should explore ways for the 2015 Review Conference to seriously and credibly address the Islamic Republic of Iran's non-compliance with the Treaty.

9. Canada fully supported the IAEA Board of Governors resolution requesting the IAEA Director General to report to the Security Council the assessment that an undeclared nuclear reactor existed at Dair Alzour, Syrian Arab Republic, in breach of that country's safeguards obligations. Canada continues to call on the Syrian Arab Republic to urgently remedy its non-compliance and to meet its own commitment to fully cooperate with the Agency to resolve related outstanding issues, so that the Agency can provide the necessary assurances as to the exclusively peaceful nature of the Syrian Arab Republic's nuclear programme. Canada also continues to urge the Syrian Arab Republic to bring into force an additional protocol as soon as possible.

10. Canada's national export control system is consistent with the lists of those multilateral nuclear export control mechanisms in which it participates and operates in a transparent manner. Canada participated actively in the Nuclear Suppliers Group's list review and is in the process of incorporating the revised lists into national legislation. These measures serve to facilitate peaceful nuclear commerce and international cooperation while ensuring that non-proliferation policies are met. Canada continues to cooperate actively with other like-minded States in a variety of international forums to develop new measures aimed at further strengthening the non-proliferation regime, particularly with regard to the transfer of enrichment and reprocessing technologies, and the suspension of nuclear cooperation in cases of non-compliance with nuclear non-proliferation commitments.

Article III

11. Pursuant to article III, Canada has in place a comprehensive safeguards agreement and an additional protocol to the agreement with IAEA. Canada is of the view that a comprehensive safeguards agreement together with an additional protocol constitutes the safeguards standard required under article III. With this safeguards standard in place, IAEA is in a position to draw an annual conclusion regarding the non-diversion of declared nuclear material from peaceful nuclear activities and the absence of undeclared nuclear material and activities in Canada. This broader conclusion first achieved in 2005 and subsequently maintained on an annual basis, provides the highest level of confidence that Canada is in compliance with its commitments under the Treaty. Furthermore, the attainment and maintenance of the broader conclusion has allowed IAEA to fundamentally change the way safeguards are undertaken in Canada, by implementing a State-level integrated safeguards approach. These developments are a direct result of Canada's strong support for the IAEA safeguards system and of the high level of cooperation between IAEA and Canada in the implementation of the comprehensive safeguards agreement and the additional protocol. At IAEA and the General Assembly, Canada continues to urge States that have yet to bring into force a comprehensive safeguards agreement and an additional protocol to do so as soon as possible. Canada supports the outreach efforts of the Group of Eight and the Non-Proliferation and Disarmament Initiative to advance the universalization of the additional protocol. In addition, through the Canadian Safeguards Support Programme, Canada contributes to the research, development and support of safeguards equipment and techniques for both domestic and international use aimed at strengthening the effectiveness and efficiency of the Agency's safeguards.

12. Consistent with its obligation not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to any non-nuclear-weapon State for peaceful purposes unless the source or special fissionable material is subject to IAEA safeguards, and with decision 2, paragraph 12, of the 1995 Treaty Review and Extension Conference, all of Canada's nuclear partners have accepted, through a bilateral nuclear cooperation agreement with Canada, a number of additional measures designed to ensure that nuclear items supplied by Canada do not contribute to the proliferation of nuclear weapons. Canada maintains a national system for controlling the export of all items especially designed or prepared for nuclear use and certain nuclear-related dual-use items, including, with respect to the specific requirements of article III, paragraph 2, of the Treaty, source or special fissionable material and equipment or material especially designed or prepared for the processing, use or production of special fissionable material. It ensures that exports of nuclear and nuclear dual-use items are not authorized where there is found to be a risk of diversion to a weapons of mass destruction programme or an unsafeguarded facility, or when an export would be otherwise contrary to Canada's non-proliferation policy and international commitments and obligations. Canada's export control legislation includes a catch-all provision.

13. Canada is currently chair of the Zangger Committee, a group of 38 States that maintains a list of nuclear-related strategic goods on which IAEA safeguards are applied.

Article IV

14. Canada strongly supports the peaceful uses of nuclear energy. Canada pioneered a pressurized heavy water reactor system, the CANDU nuclear power reactor, that has been successfully exported to four other States parties. Canada maintains a robust domestic nuclear power programme and has a broad and diverse nuclear industry including uranium, radioisotopes for medical, academic and industrial purposes, as well as nuclear reactor services. Canada believes that nuclear energy can make an important contribution to prosperity and sustainable development, while also addressing concerns about climate change. To this end, Canada has 29 nuclear cooperation agreements in force covering 47 States parties to the Treaty, both developed and developing, to provide a framework for the fullest possible exchange of nuclear and other material, equipment and technology. Since the 2013 Treaty Preparatory Committee, Canada concluded a nuclear cooperation agreement with the United Arab Emirates and signed one with Kazakhstan. Canada has also held official bilateral consultations with nuclear cooperation agreement partner States, as well as formal administrative arrangement consultations with nuclear cooperation agreement partner country authorities. Canada strongly supports the IAEA Technical Cooperation Programme, and has made significant voluntary contributions to the IAEA Technical Cooperation Fund. Canada has also actively supported efforts to strengthen the Technical Cooperation Programme to make it more transparent and accountable in a results-based framework. In April 2012, Canada passed legislation to amend its criminal code to improve its approach to prosecute those who commit acts of nuclear terrorism. On 21 November 2013, Canada ratified the International Convention for the Suppression of Acts of Nuclear Terrorism. On December 3, 2013, Canada ratified the 2005 Amendment to the Convention on the Physical Protection of Nuclear Materials.

15. In view of the inherent relationship between States' inalienable rights to the peaceful uses of nuclear energy and the obligations contained elsewhere in the Treaty, cooperation by Canada with other countries in the peaceful uses of nuclear energy takes fully into account the non-proliferation credentials of the recipient country. Canada is committed to working with other States and relevant international organizations on new arrangements for the supply of nuclear items, consistent with the balance of rights and obligations agreed to in the Treaty and in particular in articles II, III and IV.

16. Canada continues to be involved in and support efforts to assist the harmonized implementation of the IAEA Code of Conduct on the Safety and Security of Radioactive Sources and its supplementary Guidance on the Import and Export of Radioactive Sources. Canada continues to assist the harmonized implementation of the Guidance through the establishment of bilateral administrative arrangements on the import and export of radioactive sources with its foreign regulatory counterparts. Canada has established 12 such arrangements. IAEA has recognized this initiative as a best practice and encourages other States to follow Canada's lead. As one of the world's leading suppliers and exporters of radioactive sources, Canada has a strong interest in the establishment and maintenance of an effective, efficient and harmonized international regime for ensuring their safety and security, including measures to prevent their use in malicious or terrorist acts. Canada encourages all States to implement the provisions of the Code and Guidance in a harmonized manner to assist in providing assurances

that radioactive sources are used and maintained within an appropriate regulatory framework of radiation safety and security.

Article V

17. The Final Document of the 2000 Review Conference affirmed that provisions of article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty. Canada signed the Comprehensive Nuclear-Test-Ban Treaty in September 1996 and ratified it in December 1998. In October 1998, Canada was the first Comprehensive Nuclear-Test-Ban Treaty State signatory to sign a facility agreement with the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization to establish the legal basis for activities to construct the monitoring stations to be hosted in Canada. Canada has played an active role in encouraging further signatures and ratification of the Treaty with a view to achieving its universality, including through annual diplomatic outreach efforts conducted by the Group of Eight presidency.

18. Canada co-sponsored General Assembly resolution 68/68 on the Comprehensive Nuclear-Test-Ban Treaty. The resolution calls for the earliest possible entry into force of the Treaty and urges the maintenance of unilateral moratoria on nuclear weapons test explosions until entry into force is achieved.

Article VI

19. Canada continues to take seriously the obligation of article VI and the commitments agreed upon in the 1995 Principles and Objectives, in the 13 practical steps and in the 2010 action plan. These have been at the forefront of a number of activities and statements. Below is a summary of Canada's activities as they relate to the 13 practical steps agreed in the Final Document of the 2000 Review Conference.

Steps 1 and 2

20. Canada's action in support of the Comprehensive Nuclear-Test-Ban Treaty and the moratorium on nuclear testing is described above under article V implementation.

Steps 3 and 4

21. Canada's priority in the Conference on Disarmament is the start of negotiations on a verifiable fissile material cut-off treaty. In May 2013, Canada submitted a report of its views on a fissile material cut-off treaty to the Secretary-General. Canada also conducted démarches in 41 States to encourage them to submit such reports as well. Canada is pleased to chair the Group of Governmental Experts that will meet in 2014 and 2015 to make recommendations on possible aspects that could contribute to, but not negotiate, a fissile material cut-off treaty. Canada regrets that the adoption of a comprehensive programme of work continues to be blocked by one Conference member.

Step 5

22. Canada emphasizes the importance of transparency, irreversibility and verifiability in the reduction and eventual elimination of nuclear weapons arsenals

and facilities. At the sixty-eighth session of the General Assembly, Canada co-sponsored resolution 68/51, entitled "United action towards the total elimination of nuclear weapons".

Step 6

23. At the sixty-eighth session of the General Assembly, Canada voted in favour of resolution 68/39, entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments" and resolution 68/51.

24. As a member of the North Atlantic Treaty Organization (NATO), Canada continues to advocate that the Alliance play a positive role in advancing disarmament objectives through a continuous step-by-step approach in a manner which increases international peace and stability. NATO's 2010 Strategic Concept clearly stated its commitment "to seek a safer world for all and to create the conditions for a world without nuclear weapons in accordance with the goals of the Nuclear Non-Proliferation Treaty, in a way that promotes international stability, and is based on the principle of undiminished security for all". This commitment was restated in NATO's Deterrence and Defence Posture Review, released at the 2012 NATO Summit in Chicago, United States of America.

Step 7

25. Canada welcomes the ongoing efforts of the United States and the Russian Federation to implement the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (New START). We encourage all of the nuclear-weapon States to continue and intensify their efforts to follow-up on the Final Document agreed at the 2010 Review Conference, including their meeting in Beijing on 14 and 15 April 2014.

Step 8

26. Canada has encouraged the Russian Federation and the United States to implement the Trilateral Initiative by placing surplus stocks of fissile material under IAEA control.

Step 9

27. As noted previously, Canada voted in favour of General Assembly resolution 68/39. Canada also supports measures to reduce the operational readiness of nuclear weapons systems in ways that promote international stability and security, as called for in resolution 68/51.

Step 10

28. Through the Global Partnership Programme, Canada is contributing to the elimination and disposition of fissile material, ensuring that it cannot be acquired by terrorists or countries of proliferation concern. Canada strongly supported the communiqué issued at the 2014 Nuclear Security Summit in The Hague and welcomes the goal of securing all vulnerable nuclear materials around the world. At the 2010 Nuclear Security Summit, Prime Minister Harper announced that Canada would contribute C$5 million and C$3 million, respectively, to United States-led

nuclear security projects in Mexico and Viet Nam. These projects involved the conversion of nuclear reactors and the complete removal of highly enriched uranium from these countries. The Mexico project was completed in March 2012 and the Viet Nam project was completed in 2013. Canada is currently working on a joint project with the United States Department of Energy to convert a nuclear reactor in Jamaica to low enriched uranium.

Step 11

29. Canada is party to various conventions, including the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, the Convention on Cluster Munitions, the Treaty on Conventional Forces in Europe, the Treaty on Open Skies, the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. Canada continues its support to mine action in Asia, Africa, the Middle East, Europe and South America.

Step 12

30. Canada continues to encourage States to submit information about their efforts and activities to implement the Non-Proliferation Treaty as official reports to Preparatory Committee meetings and Review Conferences.

Step 13

31. As mentioned previously, in September 2013 Canada contributed airborne radiation detection equipment and training to strengthen the Comprehensive Nuclear-Test-Ban Treaty Organization's verification capabilities.

Article VII

32. Canada continues to underline the need to preserve and respect the negative security assurances provided by nuclear-weapon States to non-nuclear-weapon States parties to the Non-Proliferation Treaty through Security Council resolution 984 (1995), relevant treaties that establish nuclear-weapon-free zones and, as applicable, their respective nuclear postures. Canada is not a member of a nuclear-weapon-free zone.

Article VIII

33. The indefinite extension of the Treaty and accompanying decisions adopted in 1995 enshrined the concept of permanence with accountability. In accordance with the commitments arising from the Final Document of the 2000 Review Conference and action 20 of the action plan from the Final Document of the 2010 Review Conference, Canada consistently submits at Treaty meetings comprehensive reports on its implementation of the Treaty and agreements from Review Conferences.

34. Canada actively promotes measures to reinforce the authority and integrity of the Treaty and ensure the implementation of its obligations. Canada continues to support efforts to make the institutional structure of the Treaty more responsive, flexible and accountable.

Article IX

35. Canada has consistently worked for the universalization of the Treaty. At the sixty-eighth session of the General Assembly, Canada co-sponsored resolution 68/51, in which the Assembly reaffirmed the importance of the universality of the Treaty and called upon States not parties to the Treaty to accede to it as non-nuclear-weapon States without delay and without conditions. Canada views its position in this regard as consistent with Security Council resolution 1540 (2004) and resolutions 1673 (2006) and 1810 (2008) on the non-proliferation of weapons of mass destruction, in which the Council called upon all States to promote the universal adoption and full implementation of multilateral treaties, the aims of which are to prevent the proliferation of nuclear, biological and chemical weapons.

Article X

36. Canada continues to coordinate a core group of countries at the IAEA General Conference responsible for a resolution on the Democratic People's Republic of Korea. Since 2006 the Canadian-led core group has annually facilitated the adoption of a resolution to promote the resumption of that country's obligations under the Treaty, including the implementation of its comprehensive safeguards agreement.

37. Canada welcomed the indefinite extension of the Treaty, adopted without a vote in 1995. Negative security assurances provided in 1995 by the five nuclear-weapon States parties to the Treaty in Security Council resolution 984 (1995) furnished part of the basis for this indefinite extension, as paragraph 8 of the "Principles and Objectives for Nuclear Non-Proliferation and Disarmament".

Article XI

38. This report is available in Canada's official languages, English and French, which comprise two of the six official languages of the Treaty text.